

MINUTES
HAMILTON COUNTY BOARD OF COMMISSIONERS
SEPTEMBER 22, 2008
Commissioners Courtroom
One Hamilton County Square
Noblesville, Indiana

WORK SESSION – Conference Room 1A

The Commissioners met in Conference Room 1A for a work session. Also attending were John Barbee, Larry Dawson, Scott Warner, BJ Casali, Mike Carter, Fred Swift, Barry McNulty, Mike Howard, Robin Mills, and Kim Rauch.

Corrections Complex Phase 3 Change Orders

Dillinger moved to approve the following change orders. Holt seconded. Motion carried unanimously.

- Lehman’s Mechanical, south addition of Sheriff’s office in the amount of \$20,200 for duct size and layout modifications.
- Delta Temp in the amount of \$135,777 for duct sizing and layout changes to the community corrections building
-

Hamilton County Seat Downtown Study

Dillinger moved to accept the final Hamilton County Seat Downtown Study. Holt seconded. Motion carried unanimously.

Noblesville Commons Building Design (Annex Building East of SR 37)

- 11,000 square feet is available in Annex Building.
- Health Department currently occupies 5,750 square feet – projected to need 8,630 square feet by 2040. Anticipated space needs will be for clinical and office space. Health Department does use additional space in the Judicial Center for training and storage. Secure storage will be needed as well as a generator to keep the refrigeration unit working in case of a power outage.
- The study estimates the Probation Department needing 4,000 square feet. Only reporting would move to annex.
- Township Assessors will need to remain downtown due to their connection with the Auditor and Recorder. Four employees will be relocating to the downtown office by the end of 2008.
- Holt does not like the idea of Probation relocating to the Annex. Concerns include management of three sites and mixing probationers with children.
- Community Corrections Building, third floor, could be a possible location for Probation. Security is on site and Community Correction reporting is already at this location. Juvenile Services Center has room for additional Probation reporting.
- Consensus was to name a design team, design the building for the health department and then decide what department can use the extra space.
- *Dillinger moved to ask Envoy to contact Cripe and negotiate a contract to bring back to the Commissioners for the design of the Annex Building. Holt seconded. Motion carried unanimously.*
- Committee to work with Envoy and Cripe will include Commissioner Altman, BJ Casali, Barry McNulty and Scott Warner.
- ISSD will proceed with running fiber under SR 37 to the Annex Building.
- Holt will work with Envoy on the tree clearing of the site.

Assessor’s Office

- County Assessor has requested permission to move the four new employees into the current public access computer room and the former Port Authority office. State Board of Accounts will use the jury room off of the historic courtroom. Software could be added to the Recorder’s public access computers and two additional computers will be added.
- *Holt moved to perform a space study will be performed on the current Assessor’s office. Dillinger seconded. Motion carried unanimously.*

PUBLIC SESSION – Commissioners Courtroom

President Altman called the meeting of the Hamilton County Board of Commissioners to order and declared a quorum present of Commissioner Christine Altman, Commissioner Steven C. Dillinger and Commissioner Steven A. Holt. The Pledge of Allegiance was recited.

APPROVAL OF MINUTES

Holt moved to approve the minutes of August 28, 2008. Dillinger seconded. Altman made revisions on the E-911 discussion. Motion carried unanimously.

Holt moved to approve the minutes of August 29, 2008. Altman seconded. Holt and Altman approved. Dillinger abstained. Motion carried.

Holt moved to approve the minutes of September 8, 2008. Altman seconded. Holt and Altman approved. Dillinger abstained. Motion carried.

EXECUTIVE SESSION MEMORANDUM

Holt moved to approve the Executive Session Memoranda of August 28, 2008. Altman seconded. Motion carried unanimously.

Dillinger moved to approve the Executive Session Memoranda of September 22, 2008. Holt seconded. Motion carried unanimously.

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BID OPENING

Resurface Contract 08-4, Various Roads in Adams and Jackson Townships

Mr. Mike Howard stated due to an omission by the newspaper there was a defect in the bid notice publication. Indiana statute requires a 14-day and 7-day notice to be published. The notice was run 16 days prior to the bid opening, the second notice was run three (3) days prior to the bid opening. Statute requires if there is a finding that a reasonable person would not be mis-led by this error of omission and the notice is in substantial compliance with the time and publication requirements the Commissioners can waive the irregularity. Six bids were received and is strong and persuasive evidence that the goal of the publication of notice has been accomplished. Howard recommended the Commissioners waive the irregularity and open the bids for this project. *Holt so moved, Dillinger seconded. Motion carried unanimously.* Bids were opened and contained the following unless otherwise specified: Form 96, Non-Collusion Affidavit, Bid Bond and Financial Statement.

Calumet Asphalt	\$810,310.00
E&B Paving	\$743,500.00
Grady Brothers	\$783,000.00
Milestone Contractors	\$807,236.00
Rieth-Riley	\$779,595.00
Shelly & Sands	\$726,964.55

Holt moved to forward the bids to the highway department for review and recommendation later in today's meeting. Dillinger seconded. Motion carried unanimously.

Holt moved to award Resurface Contract 08-4, Various Roads in Adams and Jackson Townships to Shelly & Sands as the lowest responsive bidder in the amount of \$726,964.55. Dillinger seconded. Motion carried unanimously.

4x4 Pickup Trucks

Bids for the 4x4 Pickup Trucks for the highway department were opened and contained the following unless otherwise specified: HC Bid Form 06/03, Non-Collusion Affidavit, Bid Bond, Financial Statement and Acknowledgment of one (1) Addendum.

Don Hinds Ford	\$28,472.00 each
Eriks Chevrolet	\$32,550.00 each
Hare Chevrolet	\$31,999.00 each
Penske Chevrolet	\$32,082.53 each
Bob Poynter Ford	\$28,853.04 each – (\$5,770.61 check submitted in lieu of Bid Bond)
Kahlo Chrysler Dodge	\$38,290.00 each

Dillinger moved to forward the bids to the highway department for review and recommendation at the next meeting. Holt seconded. Motion carried unanimously.

HIGHWAY BUSINESS

Agreements/Supplements

Small Structure #320002, 216th Street over J. Owen Drain

Dillinger moved to approve Engineering Agreement, HCHD #E-08-0009, with The Schneider Corporation for Replacement of Small Structure #32002, carrying 216th Street over J. Owen Drain. Holt seconded. Motion carried unanimously.

Small Structure #32072, Hinkle Road over Branch of Hinkle Creek

Dillinger moved to approve Engineering Agreement, HCHD #E-08-0008, with The Schneider Corporation for Replacement of Small Structure #32072, Hinkle Road over Branch of Hinkle Creek. Holt seconded. Motion carried unanimously.

Small Structure #32084, Schulley Road over J.H. Leap Ditch

Dillinger moved to approve Engineering Agreement, HCHD #E-08-0007, with The Schneider Corporation for Replacement of Small Structure #32084, Schulley Road over J.H. Leap Ditch. Holt seconded. Motion carried unanimously.

Concurrence with Traffic Study Correspondence

Dillinger moved to approve the List of Correspondence Concerning Investigations on Hamilton County Roads dated September 22, 2008. Holt seconded. Motion carried unanimously.

- Andrea Hern and Jim Gilliam concerning speed humps on Combs Avenue between 105th Street and 106th Street in Clay Township. Highway Department recommends not installing speed humps.
- Mark C. Ladendorf concerning Speed humps and Street Lighting in The Portage Subdivision in Fall Creek Township. Highway Department recommends no Speed Humps and will post 25 mph speed limit in the subdivision.
- Sgt. Mike Janes concerning changing the signal flash at 126th Street and Olio Road in Fall Creek Township. The highway department recommends changing the signal flash.
- Timothy C. Fortner concerning Children Warning Sign on Inverness Boulevard in Clay Township. The highway department recommends not making any changes at this time.

Request to Close - 246th Street over Sugar Run Creek

Dillinger moved to approve closing 246th Street over Sugar Run Creek for replacement of Small Structure #33010, 246th Street over Sugar Run Creek for 50 Calendar Days to begin on or after September 29, 2008. Holt seconded. Motion carried unanimously.

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Official Actions

126th Street and Olio Road

Dillinger moved to approve the Official Action to change the traffic signal at 126th Street and Olio Road to a four-way flashing red. Holt seconded. Motion carried unanimously.

Portage Way Speed Limit

Dillinger moved to set the speed limit on Portage Way to 25 mph from Brooks School Road to End (1,672' East of Brooks School Road). Holt seconded. Motion carried unanimously.

Dedication of Public Right-of-Way

Salesbury Brothers Landscaping

Dillinger moved to accept the Dedication of Public Right-of-Way from Salsbery Brothers Landscaping. Holt seconded, under protest. Motion carried unanimously.

Riverwalk Project

Mr. Jim Neal presented an update on the Riverwalk Project.

- The contractor's second crew is on site.
- Assuming deliveries are on time and the weather holds, the anticipated completion date is November 15, 2008.

Holt asked why is the rip-rap grouted? Neal stated it was done at the request of an Indiana Department of Transportation (INDOT) hydrologist. The grouting will keep the rip-rap in place. Neal will be contacting INDOT for clarification; there is no grouted rip-rap under any of the county structures or INDOT structures along the White River.

Excess Highway Property

Mr. Brad Davis stated the Buildings and Grounds department has requested trading the highway department's pick-up truck #41 with their 1992 Chevy pick-up truck. Emergency Management Agency (EMA) is requesting permission to obtain the highway department's sedan that is slated for the auction. This will be an additional vehicle for their fleet for the UASI (Urban Area Security Initiative) Coordinator. Community Corrections is requesting permission to place a 1999 Ford Taurus in the auction. *Dillinger moved to approve the list of excess property. Holt seconded.* Holt stated typically we have not let people take vehicles that are not putting a replacement in the auction. Altman stated the UASI Coordinator travels and he has been using this highway pool vehicle. Holt asked if we should leave the vehicle in the pool? Altman stated they have been requesting Council replace all of the EMA vehicles due to their age, but they will not approve the request. *Dillinger and Altman approved. Holt opposed. Motion carried.*

Release of Escrow – Trisler Construction Company

Dillinger moved to approve the Release of the Escrow Account for Trisler Construction Company on Bid Package #5 – Salt Storage Building Erection. Holt seconded. Motion carried unanimously.

INDOT Citizen Action Committee

Davis stated INDOT is forming a Citizen Action Committee for I-69 and I-465. The first meeting is October 7, 2008. *Altman moved to designate Mr. Davis as the county's representative. Dillinger seconded. Motion carried unanimously.* Altman asked Davis to keep the Commissioners informed of the meeting dates and locations.

Highway Meeting – September 26, 2008

Due to a scheduling conflict the Commissioners concurred with Davis to cancel the scheduled September 26, 2008 highway meeting.

ISSD

GIS Software Purchase Order [2:31]

Holt moved to approve a Purchase Order for a change in GIS Software in the amount of \$7,484.61 payable to ERDAS. Dillinger seconded. Motion carried unanimously.

United Way E-Filing

Casali reported that ISSD has the software extract program available for the E-Filing for United Way contributions. A process has been put in place with the payroll department. Casali asked how the Commissioners want her to proceed? United Way will E-mail a contribution form with the deductions noted, the donor will have to print out the form and forward it to the payroll department. *Holt moved to approve. Dillinger seconded. Motion carried unanimously.*

Tax System RFP

Casali informed the Commissioners that the RFP (Request for Proposal) for a new tax system will be on the streets September 26, 2008. Altman stated the county may have to ask for specific legislation because the DLGF (Department of Local Government Finance) has chosen to not extend the certification time period. Currently Manatron is working to be certified and if they are successful we will have a certified tax system in place but they are clearly not doing the job we expect or need in Hamilton County. We will continue to work with the DLGF or the Governor's office to proceed with us for a statewide tax system. Holt asked what if the DLGF will not certify our new system? Casali stated it is a requirement of the RFP that the vendor be certified and if they are not they forfeit their Performance Bond. *Holt moved to approve. Dillinger seconded. Motion carried unanimously.*

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BUILDINGS AND GROUNDS

Contract Renewals

Dillinger moved to approve 2008-2009 contract renewals for AAA Exterminating in the amount of \$16,716 and Tower Clock Company in the amount of \$400. Holt seconded. Motion carried unanimously. Holt asked why would the animal shelter exterminating contract exclude fleas? Warner stated the Humane Society staff does not want chemicals around the animals. The Humane Society staff has asked to be involved in any chemical treatments.

Additional Appropriations

Altman informed Scott Warner that the County Council has asked departments to eliminate any unnecessary overtime as well as any purchases that are not necessary. Warner stated he is watching the overtime in his department but he may run short of overtime in the 019 Fund; he has money available to transfer but that requires an additional appropriation. Altman stated the council is trying to have more money to return to the General Fund at the end of the year. Overtime is something we need to avoid at all cost. Altman asked Fred Swift to make sure the other Commissioner departments understand this policy.

COMMISSIONER COMMITTEE REPORTS

Firing Range – Tipton County

Altman met with the Tipton County Sheriff and staff regarding the proposed firing range to be used by the Hamilton County Sheriff's Department. Some improvements are needed on the property including septic and water for the proposed pole barn. Sheriff Carter believes he can fund the building from the Sheriff's Sale revenues. Altman will discuss the details of an interlocal agreement with Mike Howard.

Precinct Approval

Holt moved to approve the list of Precincts for the November General Election. Dillinger seconded. Motion carried unanimously.

Use of Commissioners Courtroom

Ms. Kathy Richardson requested the use of the Commissioner's Courtroom during the month of October, when there is no meeting in the room the side doors be opened and the absentee voting staff be allowed to work in this room. They will have 12-16 people working in the room for absentee voting. *Holt moved to approve. Dillinger seconded. Motion carried unanimously.*

Carmel Commuter Service

Altman stated the Carmel Commuter Service (ICE) has been running 75% capacity in both directions.

Community Corrections

The Shadow Minister for the Secretary of Justice in England visited Hamilton County's Work Release facility.

EMA Grant – Citizen Corp Grant

Altman stated EMA has been awarded a Citizen Corp Grant, in the amount of \$80,000, that puts together a public-private partnership for IT professionals from business that would help support governmental functions in the event the government IT systems would go down.

ADMINISTRATIVE ASSISTANT [2:52]

Meal Reimbursements

Holt moved to approve meal reimbursements for Community Corrections. Dillinger seconded. Motion carried unanimously.

- Lunch served to the Shadow Minister for the Secretary of Justice in England.
- October 14, 2008 strategic planning session for the Community Corrections Advisory Board and Indiana Department of Corrections. Approximately 30 people will be attending with cost estimated at \$450.00, which is paid out of the Community Corrections budget.

Armed Forces Day 2009

Dillinger moved to allow the use of the Hamilton County Fairgrounds for the 2009 Armed Forces Day and instruct the organizers to request funding, if they so choose, from the County Council. Altman seconded. Altman suggested the group contact the Hamilton County Visitors Bureau to apply for a grant. *Motion carried unanimously.*

Use of Courthouse Lawn – Democratic Party

Holt moved to approve the use of the Courthouse Lawn on October 25, 2008 for a Democratic Party rally. Dillinger seconded. Motion carried unanimously.

Surplus Items for County Auction

Buildings and Grounds has requested approval of list of surplus items to be placed in the county sale. Swift stated the Hamilton County Bar Association copier is listed in the surplus list. They have never responded to his request to remove the copier. *Holt moved to approve the disposal of items listed. Dillinger seconded. Motion carried*

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unanimously. Holt moved to approve the list of surplus items from the ISSD (Information Systems Services Department) to be placed in the county sale. Dillinger seconded Motion carried unanimously.

Employee Recognition/Training Luncheon

Dillinger moved to hold the Employee Recognition Luncheon on December 22, 2008. Altman seconded. Motion carried unanimously. Drainage Board will meet at 9:00 a.m. with Commissioners meeting from 10:00 a.m. to 11:00 a.m. for emergency items only.

Proclamation – Family Day

Dillinger moved to proclaim the fourth Monday of every September as Family Day – A Day to Eat Dinner with Your Children. Holt seconded. Motion carried unanimously.

Hamilton County Artist Association

Holt moved to allow the Hamilton County Artists Association to use the lobby of the Judicial Center on June 6, 2009. Dillinger seconded. Motion carried unanimously. Costs incurred for security will be paid for by the Association. Altman asked that Buildings and Grounds move forward with installing scissor doors to block off the hallways.

Warning Siren Law

Senator Kenley has requested the Commissioners send a letter to him regarding their disapproval of the Warning Siren Law. Holt moved to approve. Dillinger seconded. Motion carried unanimously.

Wellness Day 2009

Altman asked if a day should be reserved for the 2009 Wellness Day? Dillinger and Holt agreed the Wellness Day be held in 2009 and the committee can choose the date.

SHERIFF

Surplus Property

Holt moved to approve the list of surplus items presented by the Sheriff's Department be declared surplus and sold at the county auction. Dillinger seconded. Motion carried unanimously.

AUDITOR [3:16]

Compensation Agreements – Clerk and Surveyor

Holt moved to approve the 2009 Compensation Agreements in Lieu of Statutory Fees between Hamilton County and Peggy Beaver (Clerk of the Circuit Court) and Kenton Ward (Surveyor). Dillinger seconded. Motion carried unanimously.

Capital Asset Notification Form(s)

Altman moved to table the Capital Asset Notification Form for the bank building. Holt seconded. Motion carried unanimously.

Holt moved to accept the Capital Asset Notification Form from the Auditor. Dillinger seconded. Motion carried unanimously.

Clerk's Monthly Report

Holt moved to accept the Monthly Report from the Clerk of the Circuit Court dated August 2008. Dillinger seconded. Motion carried unanimously.

Treasurer's Monthly Report

Holt moved to accept the Monthly Report from the County Treasurer. Dillinger seconded. Motion carried unanimously.

Release of Bonds/Letters of Credit – Drainage Board

Dillinger moved to approve the Release of Bonds and Letters of Credit for the Drainage Board. Holt seconded. Motion carried unanimously.

- HCDB-2004-00093 – Fidelity and Deposit Company of Maryland Subdivision Performance Bond No. 08724268 for Cass Estates Section 1 Monumentation - \$3,060.00.
- HCDB-2005-00082 – Fifth Third Bank Letter of Credit No. CIS404114 for Springs of Cambridge Section 9 Storm Sewers and Subsurface Drains - \$219,925.00.

Payroll Claims

Dillinger moved to approve the Payroll Claims for the period of August 25, 2008 thru September 7, 2008 paid September 19, 2008. Holt seconded. Motion carried unanimously.

Vendor Claims

Dillinger moved to approve the Vendor Claims to be paid September 23, 2008. Holt seconded. Motion carried unanimously.

Holt moved to adjourn. Dillinger seconded. Motion carried unanimously.

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COMMISSIONERS CORRESPONDENCE

Letter from Nick Cuevas re: The Lawyers Helping Families Court
Beam, Longest & Neff Notice of Transmittal
 Bridge #57, East 256th Street over Little Cicero Creek
 Bridge #224, Allisonville Road over Stony Creek
IDEM Notice of Interim Permit Revision Petition
 Firestone Industrial Products - Noblesville
IDEM Notice of Receipt of Sewer Permit Application
 Stafford Lane, Section 1 – Carmel
 The Legacy Domain – Carmel
 Noblesville Professional Office Park PD, Phase II – Noblesville
Certificate of Insurance
 Netech Corporation

PRESENT

Christine Altman, Commissioner
Steven C. Dillinger, Commissioner
Steven A. Holt, Commissioner
Robin M. Mills, Auditor
Fred Swift, Administrative Assistant to Commissioners
Kim Rauch, Administrative Assistant to Auditor
Michael Howard, Attorney
Brad Davis, Highway Director
Jim Neal, County Highway Engineer
Joel Thurman, Highway Project Engineer
Brandy Wariner, Highway Public Service Representative
Dave Lucas, Highway Staff Engineer
Mark Fisher, Highway Project Engineer
Christopher Burt, Highway Engineering Technician
Tim Knapp, Highway Right-of-Way Manager
Matt Knight, Highway Bridge Program Engineer
Faraz Khan, Highway Staff Engineer
Kathy Howard, Highway Department Administrative Manager
Bob Davis, Highway Superintendent
Becki-Wise Kent – USI
BJ Casali – ISSD
Scott Warner, Buildings & Grounds
Ryan Horine, Sheriff’s Department

APPROVED
HAMILTON COUNTY BOARD OF COMMISSIONERS

ATTEST

Robin M. Mills, Auditor